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Security Council

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## Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

### Note verbale dated 20 March 2009 from the Permanent Mission of Austria to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Austria to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to Security Council resolution 751 (1992) concerning Somalia, and has the honour to present its report pursuant to paragraph 25 of resolution 1844 (2008) on steps taken by the Government of Austria to implement paragraphs 1 to 7 of resolution 1844 (2008).

Austria, as a Member State of the European Union (EU), implements the restrictive measures against Somalia imposed by Security Council resolution 1844 (2008) by taking the following measures:

Firstly, through the following legal acts of the European Union and/or the European Community (EC):

- Council common position 2009/138/CFSP of 16 February 2009 concerning restrictive measures against Somalia and repealing common position 2008/960/CFSP.
- A Council regulation to be adopted without delay.

Secondly, the competent Austrian authorities apply the following Austrian legislation in implementing the restrictive measures against Somalia imposed by Security Council resolution 1844 (2008):

- With regard to the obligation contained in paragraph 1 of Security Council resolution 1844 (2008), the Aliens Police Law (Federal Law Gazette I No. 157/2005 as amended) and the Law on Residence (Federal Law Gazette I No. 100/2005 as amended) empower the competent Austrian authorities to impose the appropriate travel or entry restrictions and to notify the Committee in accordance with this paragraph.
- With regard to the obligation contained in paragraph 3 of Security Council resolution 1844 (2008), the Austrian Exchange Control Act (Federal Law Gazette I No. 123/2003) stipulates that non-compliance with regulations of the



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European Community or relevant Austrian Federal Government regulations concerning the freezing of funds is a criminal offence punishable by up to one year in prison.

- With regard to the obligation contained in paragraphs 6 and 7 of Security Council resolution 1844 (2008), the legal basis for their implementation is a national authorization procedure established by the above-mentioned Council Regulations, the Foreign Trade Act (Federal Law Gazette I No. 50/2005 as amended) and the Foreign Trade Regulation (Federal Law Gazette II No. 121/2006) as well as the War Materials Act (Federal Law Gazette I No. 540/1977 as amended). Non-compliance with the Foreign Trade Act or the War Materials Act constitutes a criminal offence punishable with up to five years in prison or the payment of a fine of up to 360 daily rates.